

Mojave Desert
Air Quality Management District



Final
Staff Report
Adoption of
*Federal Negative Declarations for
Two Control Techniques Guidelines
Source Categories*

Adopted on
April 23, 2018

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List of Acronyms

BACT	Best Available Control Technology
BARCT	Best Available Retrofit Control Technology
CARB	California Air Resources Board
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
CTG	Control Techniques Guidelines
FCAA	Federal Clean Air Act
FND	Federal Negative Declaration
H&S Code	California Health & Safety Code
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
NO _x	Oxides of Nitrogen
RACT	Reasonably Available Control Technology
SBCAPCD	San Bernardino County Air Pollution Control District
SCAQMD	South Coast Air Quality Management District
SIP	State Implementation Plan
SO _x	Oxides of Sulfur
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

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STAFF REPORT
Federal Negative Declarations for Two
Control Techniques Guidelines Source Categories

I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Techniques Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified as Severe-15 for the new 0.075 ppm 8-hour standard. As a result of the shift to the 0.075 ppm standard, the District is required to update rules to meet RACT requirements. For those CTG source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present. These “Federal Negative Declarations” are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, these FNDs, once adopted by the Governing Board, will serve as official certification to the USEPA that there are no stationary sources or emitting facilities in these categories located within the area designated as non-attainment for ozone within the MDAQMD. In the process of updating Rule 1115 – *Metal Parts & Products Coating Operations* to meet RACT requirements, the MDAQMD discovered that two CTG source categories in the *Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings* (EPA-453/R-08-003, September 2008) were not adequately covered in the MDAQMD rule book. The MDAQMD then examined its permit files, emissions inventory and other documentation and has determined that there are no sources for Plastic Parts and Products, and Automotive/Transportation and Business Machine Plastic Parts, located within the jurisdiction of the MDAQMD and none are anticipated in the near future. The MDAQMD is now proposing to adopt a FND for these two CTG source categories. There are no emission reductions associated with this action because it does not change any existing rules or regulations.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the MDAQMD, after conducting a public hearing, adopt the *Federal Negative Declarations for Two Control Techniques Guidelines Source Categories*. Such action is necessary to satisfy the federal requirements for submission of FNDs for each source category not represented within the District covered by a CTG or which meets the definition of a major source.

The Governing Board of the MDAQMD adopted the *Federal Negative Declarations for Two Control Techniques Guidelines Source Categories* at the April 23, 2018 Governing Board meeting.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct adoption of the *Federal Negative Declarations for Two Control Techniques Guidelines Source Categories*. Each item is discussed, if applicable, in Section V. Copies of related documents are included in the appropriate appendices.

FINDINGS REQUIRED FOR RULES & REGULATIONS:

- X Necessity
- X Authority
- X Clarity
- X Consistency
- X Non-duplication
- X Reference
- X Public Notice & Comment
- X Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- N/A Public Notice & Comment
- N/A Availability of Document
- N/A Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- N/A Public Hearing
- N/A Legal Authority to adopt and implement the document.
- N/A Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION:

- N/A Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- N/A Ministerial Action
- X Exemption
- N/A Negative Declaration
- N/A Environmental Impact Report
- X Appropriate findings, if necessary.
- X Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- X Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

OTHER:

- X Written analysis of existing air pollution control requirements
- X Economic Analysis
- X Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the adoption of the *FNDs for Two CTG Source Categories*. Since this document is required to be adopted pursuant to public notice and other requirements under 42 USC 7410(a)(2), the district considers the rule adoption process pursuant to H&S Code §40702 to be a proper way to meet these requirements. Therefore, these are actions, that need to be performed, and/or information that must be provided, in order to adopt this document in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations

Before adopting, amending, or repealing a rule or regulation, the District Governing Board is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Governing Board in making these findings.

a. Necessity

The adoption of the *FNDs for Two CTG Source Categories* is necessary because for those source categories not represented within the area designated non-attainment for ozone, and covered by a CTG or which meet the definition of a major source, USEPA requires the submission of a FND certifying that those sources are not present.

b. Authority

MDAQMD has the authority pursuant to H&S Code §40702, 40725-40728 to adopt, amend or repeal rules and regulations and to do such actions that are necessary or proper to execute the powers and duties granted to and imposed upon MDAQMD.

c. Clarity

The adoption is clear in that it is written so that persons can easily understand the scope and necessity of the FND.

d. Consistency

The adoption of the *FNDs for Two CTG Source Categories* is in harmony with, and not in conflict with or contradictory to any state law or regulation, federal law or regulation, or court decisions.

e. Non-duplication

The adoption of the *FNDs for Two CTG Source Categories* does not impose the same requirements as an existing state or federal law or regulation because federal law requires the adoption and certification of “Negative Declarations” for those source categories not represented within the area designated non-attainment for ozone which are covered by a CTG or which meet the definition of a major source.

f. Reference

The District has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations.

g. Public Notice & Comment, Public Hearing

Notice for the public hearing for the proposed adoption of the *FNDs for Two CTG Source Categories* was published February 20, 2018, and the public comment period ended March 22, 2018. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments, if any, and MDAQMD responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals)

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying federal law, which requires the submittal. The information below indicates which elements were required for the adoption of the *FNDs for Two CTG Source Categories* and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements

The adoption of the *FNDs for Two CTG Source Categories* is subject to all the requirements for a SIP submittal because these “Negative Declarations” will be included in the MDAQMD SIP. The criteria for determining completeness of SIP submissions are set forth in 40 CFR Part 51, Appendix V, 2.0.

b. Public Notice and Comment

Notice for the public hearing for the proposed adoption of the *FNDs for Two CTG Source Categories* was published February 20, 2018, and the public comment period ended March 22, 2018. See Appendix “B” for a copy of the public notice.

c. Availability of Document

Copies of the proposed adoption of the *FNDs for Two CTG Source Categories* and the accompanying draft staff report was made available to the public on or before February 20, 2018.

d. Notice to Specified Entities

Copies of the proposed adoption of the *FNDs for Two CTG Source Categories* and the accompanying draft staff report were mailed to all affected agencies, including but not limited to CARB and USEPA. The proposed amendments were sent to CARB and USEPA on or before February 5, 2018.

e. Public Hearing

A public hearing to consider the proposed adoption of the *FNDs for Two CTG Source Categories* was held on April 23, 2018.

f. Legal Authority to Adopt and Implement

The MDAQMD has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the MDAQMD.

g. Applicable State Laws and Regulations Were Followed

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Section (V)(D) below for compliance with provisions of the California Environmental Quality Act (CEQA).

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. The adoption of the *FNDs for Two CTG Source Categories* is required to adopt and certify FNDs for those source categories not represented within the area designated non-attainment for ozone.

The MDAQMD has examined its permit files, emissions inventory and other documentation and has determined that there are no sources in the two source categories

referenced in Attachment A, located within the jurisdiction of the MDAQMD and none are anticipated in the near future.

The two categories for which the District has determined it has no CTG source categories are: Plastic Parts and Products; and Automotive/Transportation and Business Machine Plastic Parts. It was determined that the District does not have any major facilities, or other facilities that meet the CTG applicability threshold of VOC emissions from all miscellaneous plastic parts and products and business machines plastic parts surface coating operations, including related cleaning activities, equal to or exceeding 15 lb/day.

C. ECONOMIC ANALYSIS

1. General

Adoption of the FNDs will identify CTG source categories not represented within the area designated non-attainment. The adoption will have no economic impact.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur.

The adoption of the *FNDs for Two CTG Source Categories* is not subject to incremental cost effectiveness calculations because this rule does not impose BARCT or “all feasible measures.”

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below, it was determined that a Notice of Exemption would be the appropriate CEQA process for the adoption of the *FNDs for Two CTG Source Categories*.

1. The adoption of the *FNDs for Two CTG Source Categories* meets the CEQA definition of “project.” They are not “ministerial” actions.

2. The adoption of the *FNDs for Two CTG Source Categories* is exempt from CEQA review because it will not create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

There are no potential negative environmental impacts of compliance with the adoption of the FNDs.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix “B.”

VI. TECHNICAL DISCUSSION

USEPA required that all non-attainment areas submit an updated *RACT SIP Analysis*. The purpose of the *RACT SIP Analysis* is to ensure that District Rules adequately address current RACT requirements. In the process of updating Rule 1115 – *Metal Parts & Products Coating Operations* to meet RACT requirements, the MDAQMD discovered that two CTG source categories in the *Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings* (EPA-453/R-08-003, September 2008) were not adequately covered in the MDAQMD rule book. The MDAQMD then examined its permit files, emissions inventory and other documentation and has determined that there are no sources for Plastic Parts and Products (CTG Table 3), and Automotive/Transportation and Business Machine Plastic Parts (CTG Table 4), located within the jurisdiction of the MDAQMD and none are anticipated in the near future.

In the future, if a source in one of the affected categories applies for a permit and the source is located at a major facility or it emits more than 25 tons of nonattainment air contaminants, it will be required pursuant to District Rule 1301 (A) to have Best Available Control Technology (BACT). If the new source is subject to the provisions of District Rule 1320 then it will be required to have toxics BACT and/or comply with the applicable Maximum Achievable Control Technology (MACT) Standard. In such a situation the District will also be required to adopt a RACT level rule for the new source. The CTG for Miscellaneous Metal and Plastic Parts Coatings applicability threshold of VOC emissions from all miscellaneous plastic parts and products and automotive/transportation and business machines plastic parts surface coating operations, including related cleaning activities, is equal to or exceeding 15 lb/day before consideration of controls.

It was determined that the District does not have any facilities that meet the CTG applicability threshold of VOC emissions from plastic parts and products, or business

machines plastic parts, surface coating operations. Therefore a FND has been prepared for this category as shown in Table 1.

In addition, it was determined that the District does not have any facilities that meet the CTG applicability threshold of VOC emissions for automotive/transportation plastic parts. Please note that pursuant to the CTG, automobile refinish coatings are not included in the miscellaneous metal parts or plastic parts coating categories to the extent they are used for automobile refinish coating purposes as defined in the National VOC Rule (National Volatile Organic Compound Emission Standards for Automobile Refinishing Coatings (40 CFR 59 Subpart B)). Such a coating, when used for automobile refinishing as defined in the National Rule, is not included in the miscellaneous metal or plastic parts coating category. However, if such coating was applied to a metal or plastic box outside the process of an original manufacturing plant or in the case of body collision repairs, the coating would be covered by this particular CTG as well as the National VOC Rule. The district does not have any operations that coat miscellaneous metal or plastic parts with automobile refinish coatings (CTG Table 4) that is not solely subject to the National VOC Rule.

Table 1
Two Proposed Federal Negative Declarations*

Source Category	Control Technologies Guidelines Document Covering Action
New FND	
Plastic Parts and Products	1. Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts (EPA - 453/R-08-003, September 2008).
Automotive/Transportation and Business Machine Plastic Parts	1. Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts (EPA - 453/R-08-003, September 2008).

* Please note that a Federal Negative Declaration for Plastic Parts Coating – Business Machines, and Plastic Parts – Other was adopted by the MDAQMD on June 28, 1995. This FND cited the ACT document titled Alternative Control Techniques Document: Surface Coating of Automotive/Transportation and Business Machine Plastic Parts, EPA-453/R-94-017, February 1994.

E. SIP HISTORY

1. SIP History

a. SIP in the San Bernardino County Portion of MDAQMD

On July 1, 1993 the MDAQMD was formed pursuant to statute. Pursuant to statute it also retained all the rules and regulations of the SBCAPCD until such time as the Governing Board of the MDAQMD wished to adopt, amend or rescind such rules. The MDAQMD Governing Board, at its very first meeting, reaffirmed all the rules and regulations of the SBCAPCD. Since SIP revisions in California are adopted by USEPA as effective in areas which happen to be defined by both air basin designations and the jurisdictional boundaries of local air districts within those air basins, the MDAQMD “inherited” the SBCAPCD SIP which was in effect for what is now called the San Bernardino County Portion of Mojave Desert Air Basin (MDAB).

b. SIP in the Riverside County (Blythe/Palo Verde Valley) Portion of the MDAQMD

One of the provisions of the legislations which created the MDAQMD allowed areas contiguous to the MDAQMD boundaries and within the same air basin to leave their current air district and become a part of the MDAQMD. On July 1, 1994 the area commonly known as the Palo Verde Valley in Riverside County, including the City of Blythe, left South Coast Air Quality Management District (SCAQMD) and joined the MDAQMD. Since USEPA adopts SIP revisions in California as effective within the jurisdictional boundaries of local air districts, when the local boundaries change the SIP as approved by USEPA for that area up to the date of the change remains as the SIP in that particular area. Upon annexation of the Blythe/Palo Verde Valley the MDAQMD acquired the SIP prior to July 1, 1994 that was effective in the Blythe/Palo Verde Valley. Therefore, the SIP history for the Blythe/Palo Verde Valley Portion of the MDAQMD is based upon the rules adopted and approved for that portion of Riverside County by SCAQMD.

2. SIP Analysis

The MDAQMD has a variety of FNDs adopted or carried over from its predecessor agencies. These are:

- a. Vacuum Producing Devices or Systems, 40 CFR 52.220(a)(1)(iii) - 09/11/95, 60 FR 47074
- b. Leaks From Petroleum Refinery Equipment, 40 CFR 52.222(a)(1)(i) - 01/3/95, 60 FR 38
- c. Process Unit Turnarounds,
- d. Industrial Wastewater, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- e. Equipment Leaks From Natural Gas/Gasoline Processing Plants, 40 CFR 52.222(a)(1)(i) - 01/31/95, 60 FR 38
- f. Synthesized Pharmaceutical Products, 40 CFR 52.222(A)(1)(iv) - 11/01/96 61 FR 56474, and 60 FR 38, 01/31/95
- g. Air Oxidation Processes – SOCMI, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- h. Polymer Manufacturing, 40 CFR 52.222(A)(1)(iv) - 11/01/96 61 FR 56474, and 60 FR 38, 01/31/95
- i. SOCMI and Polymer Manufacturing Equipment Leaks, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- j. Offset Lithographic Printing, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- k. Surface Coating of Automotive/Transportation and Business Machine Plastic Parts, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- l. Reactor Processes and Distillation Operations in SOCMI, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- m. Batch Processes, 40 CFR 52.222(A)(1)(iv) - 11/01/96 61 FR 56474, and 60 FR 38, 01/31/95
- m. Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- n. Manufacture of Styrene-Butadiene Copolymers, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- o. Polystyrene Foam Manufacturing, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- p. Ship Building, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- q. Plastic Parts Coatings – Others, 40 CFR 52.222(A)(1)(iv) - 11/01/96, 61 FR 56474
- r. Pneumatic Rubber Tire Manufacturing, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- s. Large Petroleum Dry Cleaners, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- t. Surface Coating of Cans, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153

- u. Surface Coating of Coils, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- v. Surface Coating Fabrics, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- w. Surface Coating Operations at Automotive and Light Duty Truck Assembly Plants, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- x. Surface Coating of Large Appliances, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- y. Surface Coating of Magnet Wire, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- z. Vacuum Producing Devices or Systems, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- aa. Leaks from Petroleum Refinery Equipment, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- bb. Process Unit Turnarounds, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- cc. Equipment Leaks from Natural Gas/Gasoline Processing Plants
- dd. Synthesized Pharmaceutical Products, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- ee. Air Oxidation Process – SOCFI, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- ff. Polymer Manufacturing SOCFI and Polymer Manufacturing Equipment Leaks, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- gg. Reactor Processes and Distillation Operations in SOCFI, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- hh. Synthetic Organic Chemical Polymer and Resin Manufacturing, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- ii. Petroleum Refinery Equipment, 40 CFR 52.222 (a)(1)(v) – 5/20/2011, 76 FR 29153
- jj. Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins, 40 CFR 52.222 (a)(1)(vi) – 5/20/2011, 76 FR 29153
- kk. Fugitive Emissions from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment, 40 CFR 52.222 (a)(1)(vi) – 5/20/2011, 76 FR 29153

The MDAQMD has determined that no sources in the Two CTG source categories listed in Table 1 exist within its jurisdiction.

Appendix “A”
Federal Negative Declarations for Two Control Techniques Guidelines Source
Categories
Draft Version

1. *Federal Negative Declaration (8-hr Ozone Standard) for Two Control Techniques Guidelines Source Categories*

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Mojave Desert Air Quality Management District

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Visit our web site: <http://www.mdaqmd.ca.gov>

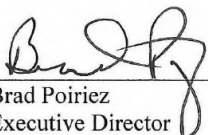
Brad Poiriez, Executive Director

Mojave Desert Air Quality Management District Federal Negative Declaration (8 hr Ozone Standard) for Two Control Technologies Guidelines Source Categories

The *Federal Clean Air Act* (FCAA) requires areas designated non-attainment for ozone and classified moderate and above to adopt and maintain rules requiring certain sources of air pollution to implement Reasonably Available Control Technology (RACT). Rules are required for all sources of Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NOx) in source categories covered by a Control Techniques Guidelines (CTG) document issued by the United States Environmental Protection Agency (USEPA) and for any other major stationary sources of VOCs located within the affected area (42 U.S.C. §7511a(b)(2); FCAA 182(b)(2)). If a rule is unnecessary because a source category does not exist within the affected area USEPA requires the submission of a Federal Negative Declaration (FND) to certify that those sources are not present. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified as Severe-15 for the 0.075 ppm 8-hour standard. As a result of the shift to the 0.075 ppm standard, USEPA is requiring that all non-attainment areas submit an updated RACT State Implementation Plan (SIP) Analysis. The purpose of the RACT SIP Analysis is to ensure that District Rules adequately address current RACT requirements.

In the process of updating Rule 1115 – *Metal Parts & Products Coating Operations* to meet RACT requirements, the MDAQMD discovered that two CTG source categories were not adequately covered in the MDAQMD rule book. The MDAQMD then examined its permit files, emissions inventory and other documentation and has determined that there are no sources in the two source categories referenced in Attachment A, located within the jurisdiction of the MDAQMD and none are anticipated in the near future.

I certify on behalf of the MDAQMD that, to my knowledge, the MDAQMD does not have any major stationary sources or sources subject to the applicable CTG threshold in the referenced categories located within the jurisdiction of the District. Therefore the MDAQMD requests the USEPA to approve this Federal Negative Declaration for the 8 hour Ozone Standard and include it in the State Implementation Plan for the MDAQMD.



Brad Poiriez
Executive Director

3/19/18

Date

City of Adelanto	Town of Apple Valley	City of Barstow	City of Blythe	City of Hesperia	City of Needles	County of Riverside	County of San Bernardino	City of Twentynine Palms	City of Victorville	Town of Yuca Valley
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Attachment A

Source Category	Control Technologies Guidelines Document Covering Action
New FND	
Plastic Parts and Products	1. Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts (EPA - 453/R-08-003, September 2008).
Automotive/Transportation and Business Machine Plastic Parts	1. Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts (EPA - 453/R-08-003, September 2008).

Appendix “B”

Public Notice Documents

1. Proof of Publication – Daily Press
2. Proof of Publication – Riverside Press Enterprise

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THE PRESS-ENTERPRISE

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PROOF OF PUBLICATION OF

Ad Desc.: /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54448, under date of March 29, 1957, Case Number 66673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

02/20/2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: February 20, 2018
At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

MOJAVE DESERT AQMD
14306 PARK AVE
ATTN: D. HERNANDEZ
VICTORVILLE, CA 92392

Ad Number: 0011080474-01

P.O. Number:

Ad Copy:

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on April 23, 2018 at 10:00 A.M. to consider the proposed amendment of Rule 102 - Definition of Terms, Rule 104 - Organic Solvent Degreasing; Rule 106 - Polyester Resin Operations; and Federal Negative Declarations for Two Control Techniques Guidelines Source Categories.

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14306 Park Avenue, Victorville, CA 92392-2910 where all interested persons may be present and be heard. Copies of the proposed rules and the associated staff reports are on file and may be obtained from the Senior Executive Analyst at the MDAQMD Offices. Written comments may be submitted to Brad Poirier, APCO at the above office address. Written comments should be received no later than March 22, 2018 to be considered. If you have any questions regarding Rules 102, 104, 106 or the Federal Negative Declarations you may contact Tracy Waters at (760) 346-1661 extension 6122 for further information.

The proposed amendment of Rule 102 - Definition of Terms is necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update them for consistency and clarity.

Rules 104 and 106 are proposed for amendment to satisfy 42 U.S.C. 257511a (Federal Clean Air Act (FCAA) 5102) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Techniques Guidelines (CTG) and for major sources of ozone precursors, and to address comments received from the United States Environmental Protection Agency (USEPA) subsequent to the most recent rule amendments.

Federal Negative Declarations for Two Control Techniques Guidelines Source Categories are proposed for adoption because for these CTG source categories not represented within the area designated non-attainment for ozone, and covered by a CTG or which meet the definition of a major source, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg 515308) applies and has prepared a Notice of Exemption for this action.

2/20

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MOJAVE DESERT AQMD
CLERK OF THE BOARD

FEB 26 2018

BY 

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of San Bernardino

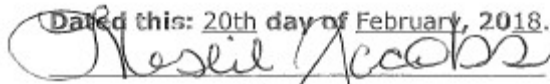
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the publisher of the DAILY PRESS, a newspaper of general circulation, published in the City of Victorville, County of San Bernardino, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of November 21, 1938, Case number 43096, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

February 20

All in the year 2018.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated this: 20th day of February, 2018.



Signature

Leslie Jacobs

This space is the County Clerk's Filing Stamp

Proof of Publication of NOTICE OF HEARING

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Mojave Desert Air Quality Management District (MDAQMD) will conduct a public hearing on April 25, 2018 at 10:00 A.M. to consider the proposed amendment of Rule 102 - Definition of Terms, Rule 1104 - Organic Solvent Degreasing, Rule 1162 - Polyester Resin Operations, and Federal Negative Declarations for TSP Control Techniques Guidelines Source Categories.

SAID HEARING will be conducted in the Governing Board Chambers located at the MDAQMD offices 14556 Park Avenue, Victorville, CA 92392-2370 where all interested persons may be present and be heard. Copies of the proposed rules and the associated staff reports are on file and may be obtained from the Senior Executive Analyst at the MDAQMD Offices. Written comments may be submitted to Brad Poirier, APCD at the above office address. Written comments should be received no later than March 22, 2018 to be considered. If you have any questions regarding Rules 102, 1104, 1162 or the Federal Negative Declarations you may contact Tracy Walters at (760) 245-1661 extension 6122 for further information.

The proposed amendment of Rule 102 - Definition of Terms is necessary to shift common definitions used in the MDAQMD rulebook to Rule 102, and to update

NOTICE OF HEARING

Rules 1104 and 1162 are proposed for amendment to satisfy 42 U.S.C. §57511a (Federal Clean Air Act (FCAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Techniques Guidelines (CTG) and for major sources of ozone precursors, and to address comments received from the United States Environmental Protection Agency (USEPA) subsequent to the most recent rule amendments.

Federal Negative Declarations for TSP Control Techniques Guidelines Source Categories are proposed for adoption because for those CTG source categories not represented within the area designated non-attainment for ozone, and covered by a CTG or which meet the definition of a major source, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present.

Pursuant to the California Environmental Quality Act (CEQA) the MDAQMD has determined that a Categorical Exemption (Class 8 - 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

Published in the
Daily Press
February 20, 2018
(TU-15)

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CLERK OF THE BOARD

FEB 26 2018

BY 

Appendix “C”

Public Comments and Responses

No Comments received to date.

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Appendix “D”
California Environmental Quality Act
Documentation

1. Notice of Exemption – San Bernardino County
2. Notice of Exemption – Riverside County

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Mojave Desert Air Quality Management District

DATE FILED & POSTED

Posted On: 04/24/18

Removed On: 04/08/18

Receipt No: 36-0426208-257

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Brad Poiriez, Executive Director

NOTICE OF EXEMPTION

TO: County Clerk
San Bernardino County
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X MDAQMD Senior Executive Analyst

PROJECT TITLE: Adoption of Federal Negative Declarations for Two Control Techniques Guidelines Source Categories.

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Techniques Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified as Severe-15 for the new 0.075 ppm 8-hour standard. As a result of the shift to the 0.075 ppm standard, the District is required to update rules to meet RACT requirements. For those CTG source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present. These “Federal Negative Declarations” are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, these FNDs, once adopted by the Governing Board, will serve as official certification to the USEPA that there are no stationary sources or emitting facilities in these categories located within the area designated as non-attainment for ozone within the MDAQMD.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD
EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)


Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

City of Adelanto	Town of Apple Valley	City of Burbank	City of Hlythe	City of Hesperia	City of Needles	County of Riverside	County of San Bernardino	City of Twentynine Palms	City of Victorville	Town of Yucca Valley
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REASONS WHY PROJECT IS EXEMPT: The adoption of the *Federal Negative Declarations for Two Control Technique Guidelines Source Categories* is exempt from CEQA review because it will not change any existing rules and regulations, or create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE:  **TITLE:** Executive Director **DATE:** April 23, 2018

DATE RECEIVED FOR FILING:

FILED / POSTED

County of Riverside
Peter Aldena
Assessor-County Clerk-Recorder

E-281888491
04/26/2018 10:35 AM Fee: \$ 50.00
Page 1 of 2

Received: By: Deputy

Mojave Desert Air Quality Management District

14306 Park Avenue, Victorville, CA 92392-2310

760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Brad Poiriez, Executive Director

NOTICE OF EXEMPTION

TO: Clerk/Recorder
Riverside County
3470 12th St.
Riverside, CA 92501

FROM: Mojave Desert
Air Quality Management District
14306 Park Ave
Victorville, CA 92392-2310

X Senior Executive Analyst

PROJECT TITLE: Adoption of Federal Negative Declarations for Two Control Techniques Guidelines Source Categories.

PROJECT LOCATION – SPECIFIC: San Bernardino County portion of the Mojave Desert Air Basin and Palo Verde Valley portion of Riverside County.

PROJECT LOCATION – COUNTY: San Bernardino and Riverside Counties

DESCRIPTION OF PROJECT: The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Techniques Guidelines (CTG) documents issued by the United States Environmental Protection Agency (USEPA) for "major sources" of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. Effective May 27, 2008 (73 FR 16436, March 27, 2008), USEPA lowered the primary ozone National Ambient Air Quality Standard (NAAQS) from 0.084 parts per million (ppm) to 0.075 ppm. For purposes of the FCAA, portions of the District have been designated non-attainment for ozone and classified as Severe-15 for the new 0.075 ppm 8-hour standard. As a result of the shift to the 0.075 ppm standard, the District is required to update rules to meet RACT requirements. For those CTG source categories not represented within the area designated non-attainment for ozone, USEPA requires the submission of a Federal Negative Declaration (FND) certifying that those sources are not present. These "Federal Negative Declarations" are different from the Negative Declarations associated with the California Environmental Quality Act (CEQA). Instead, these FNDs, once adopted by the Governing Board, will serve as official certification to the USEPA that there are no stationary sources or emitting facilities in these categories located within the area designated as non-attainment for ozone within the MDAQMD.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Mojave Desert AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Mojave Desert AQMD
EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

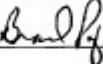
Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

City of Adelanto	Town of Apple Valley	City of Burren	City of Blythe	City of Hesperia	City of Needles	County of Riverside	County of San Bernardino	City of Tehachapi Furnace	City of Victorville	Town of Valle Vista
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REASONS WHY PROJECT IS EXEMPT: The adoption of the *Federal Negative Declarations for Two Control Technique Guidelines Source Categories* is exempt from CBQA review because it will not change any existing rules and regulations, or create any adverse impacts on the environment. Because there is no potential that the adoption might cause the release of additional air contaminants or create any adverse environmental impacts, a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Brad Poiriez **PHONE:** (760) 245-1661

SIGNATURE:  **TITLE:** Executive Director **DATE:** April 23, 2018

DATE RECEIVED FOR FILING:

Appendix “E”

Bibliography

The following documents were consulted in the preparation of this staff report.

1. EPA – various CTGs, ACTs, and other documents

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